

Appl. No. 10/840,042
Docket No. 9630
Amdt. dated June 7, 2007
Reply to Office Action mailed on March 7, 2007
Customer No. 27752

REMARKS

Claim Status

Claims 6, 17 and 19-28 have been cancelled without prejudice by this Amendment. Applicants reserve the right to pursue claims directed to the subject matter contained in these cancelled claims.

Claim 1 has been amended to define the claimed invention with greater specificity. Support for the amendment is found throughout the Specification, especially at page 12, lines 6-8 and in the Claims as originally filed.

Claims 5, 7-16 and 18 have been amended to be consistent with Claim 1, as amended.

Claims 1, 5, 7-16 and 18, as amended, are pending in the present application.

Rejection Under 35 USC §102(b) Over U.S. Patent No. 5,990,377

Claims 1, 5-9, 11, 13-14, and 17 are rejected by the Examiner under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,990,377 to Chen, et al. ("Chen"). The Examiner asserts that Chen discloses a patterned fibrous structure (base sheet), which can be used in an absorbent article such as feminine pads, diapers, towels and wipes. The Examiner asserts that Chen teaches that its fibrous structure comprises a latex and exhibits a deformation height of up to 1200 μm .

Applicants respectfully submit that Chen fails to teach each and every element of Claim 1, as amended, because Chen fails to teach a sanitary tissue product that is convolutedly wound to form a roll. Applicants submit that Chen's absorbent articles are individual articles such as diapers, feminine pads and the like, not a rolled sanitary tissue product, such as a roll of paper towels. Therefore, Applicants submit that Claim 1, as amended, is not anticipated by Chen. Further, Applicants submit that Claims 5, 7-9, 11, 13-14 and 17 (Claim 6 has been cancelled), as amended, which ultimately depend from Claim 1, as amended, are not anticipated by Chen.

Appl. No. 10/840,042
Docket No. 9630
Amdt. dated June 7, 2007
Reply to Office Action mailed on March 7, 2007
Customer No. 27752

Rejection Under 35 USC §102(e) Under U.S. Patent No. 6,892,525

Claims 19-20 and 25-26 are rejected by the Examiner under U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,893,525 to Schmidt, et al. ("Schmidt").

Applicants respectfully submit that this rejection is now moot in light of the cancellation of Claims 19-20 and 25-26.

Rejection Under 35 USC §102(b) or in the Alternative Under 35 USC §103(a)

Over U.S. Patent No. 3,579,413

Claims 1, 5, and 11 are rejected by the Examiner under 35 USC §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 3,579,413 to Koons ("Koons").

Applicants respectfully submit that Koons fails to teach each and every element of Claim 1, as amended, because Koons fails to teach a sanitary tissue product that is convolutedly wound to form a roll. Therefore, Applicants submit that Claim 1, as amended, is not anticipated by nor rendered obvious over Koons. Further, Applicants submit that Claims 5 and 11, as amended, which ultimately depend from Claim 1, as amended, are not anticipated by nor rendered obvious over Koons.

Rejection Under 35 USC §102(b) or in the Alternative Under 35 USC §103(a)

Over U.S. Patent No. 5,409,572

Claims 1, 5, 11, 14, 19-20, and 23-24 are rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 USC 103(a) as obvious over U.S. Patent No. 5,409,572 to Kershaw, et al. ("Kershaw"). The Examiner asserts that Kershaw discloses an embossed tissue of high softness having a depth of embossing of over 1524 μm .

Applicants respectfully submit that Kershaw fails to teach each and every element of Claim 1, as amended, because Kershaw fails to teach a sanitary tissue product that is

Appl. No. 10/840,042
Docket No. 9630
Amdt. dated June 7, 2007
Reply to Office Action mailed on March 7, 2007
Customer No. 27752

convolutedly wound to form a roll wherein the sanitary tissue product comprises a patterned fibrous structure comprising a latex having a Tg of from about -65°C to about 100°C. Therefore, Applicants submit that Claim 1, as amended, is not anticipated by nor rendered obvious over Kershaw. Further, Applicants submit that Claims 5, 11 and 14 (Claims 19-20 and 23-24 have been cancelled), as amended, which ultimately depend from Claim 1, as amended, are not anticipated by nor rendered obvious over Kershaw.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 5,990,377

Claims 10, 12, 15, 16, and 18 are rejected by the Examiner under 35 U.S.C. 103(a) as allegedly defining obvious subject matter over Chen, described above.

Applicants respectfully submit that Claims 10, 12, 15, 16 and 18, as amended, which ultimately depend from Claim 1, as amended, are not rendered obvious over Chen for the same reasons that Claim 1, as amended, is not anticipated by Chen.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By


Signature

C. Brant Cook

Typed or Printed Name
Registration No. 39,151
(513) 634-1533

Date: June 7, 2007
Customer No. 27752
(Amendment-Response to Office Action.doc)
Revised 11/17/2006